

# WAS NOT ALLOWED TO PLEAD GUILTY.

Murderer Rose Arraigned in Court  
This Morning—Soren X. Christensen Appointed to Defend.

## HE ASKED THE COURT FOR HELP

Accordingly Atty. D. N. Straup Was  
Also Named as Counsel for Defense—Fuller in Court.

Although apparently ready and anxious to enter a plea of guilty to the charge of murdering his wife, Frank Rose was this morning denied that privilege by Judge Stewart, in the criminal division of the district court, when he was arraigned upon the charge of murder in the first degree. The court refused to permit Rose to enter any plea, whatever, to the information, owing to the gravity of the offense, until an attorney had been appointed and had had an opportunity to consult with him.

Rose said that he did not want an attorney, but the court was of a different opinion and appointed Attorneys Soren X. Christensen and D. N. Straup to defend the man. On next Monday morning at 10 o'clock Rose will appear in court and will enter a plea to the charge. He, in company with five other prisoners, was brought into court this morning by Deputy Sheriffs Cowan, Sharp and Butler. Rose was handcuffed to Thomas R. Fuller, who is charged with criminal assault. They were the first of the prisoners to enter the room. After the handcuffs were removed Rose took a seat on the prisoners' bench behind Fuller, where he sat during the proceedings in a very calm and indifferent manner. He wore a pair of brown overalls, a black and white shirt, a dark coat and vest and a dark overcoat.

There were only a few spectators in the courtroom during the arraignments. They were all anxious to get a close view of Rose and when he was led out of the courtroom they crowded round him at close range. The court would permit and followed him to the elevator.

### ATTORNEYS APPOINTED.

Owing to the fact that Judge Morse had not returned from Kansas, Judge Stewart was called in to arraign the prisoners. When Rose's case was called by Dist. Atty. Eichner, the defendant arose and walked to the bar of the court where he stood, with both hands in his overcoat pockets, and listened to the reading of the information by Clerk Buckwater.

"Have you an attorney to represent you?" asked Judge Stewart.

"No, sir," was the quick response.

"Do you desire an attorney?"

"No, sir, I don't want one."

The information charging him with murdering his wife, Maude Eliza Rose, on Dec. 25, was then read to him. Rose gazed straight in the face of the clerk while the information was being read to him. At its conclusion, Dist. Atty. Eichner suggested that, owing to the gravity of the charge, the court should appoint an attorney to defend Rose before he was permitted to enter a plea. Judge Stewart complied with the suggestion and appointed Soren X. Christensen as attorney for defendant. Mr. Christensen stated that he did not like to shirk a duty imposed upon him by the court, but that he would rather have some assistance in the case. He suggested that D. N. Straup be appointed to assist him. The court then appointed Mr. Straup, and ordered that Rose appear Monday morning at 10 o'clock to enter his plea.

### THOMAS FULLER ARRAIGNED.

Thomas R. Fuller, the soldier charged with a criminal assault upon Miss Edith Gill on the night of Dec. 23, was arraigned and was given until Monday to plead. Fuller was dressed in his uniform and attracted attention by reason of his military bearing. He stated that he expected to get some money from his military service, but that if it did not come he would be unable to employ one. He was given until Monday to secure an attorney and to enter his plea, although he seemed willing to plead to the charge today.

### CHARGED WITH BURGLARY.

Thomas Burns was arraigned on the charge of burglary and was given until Monday to plead. He is charged with burglarizing the saloon of S. T. Stanbury at 59 West First South street, on the night of Dec. 23.

### NEGRO HOUSEBREAKER.

Bud Holman, a negro, was arraigned upon the charge of housebreaking and was given until Monday to plead. He is charged with breaking into the house of John Cruikshank, 74 Third street, on Dec. 12.

### ENGLER FOR FORGERY.

H. W. Engler was arraigned on the charges of forgery and uttering a forged instrument. The court appointed Will F. Wanless as attorney for defendant, and gave him until Monday to plead. Engler is charged with forging the name of F. H. Wilburn to a time check of the Columbia Consolidated Mining company, and with passing the same on the miners' Mercantile company at Elmore. The amount of the check was \$15. The crime was committed on Dec. 18.

### BOY GETS THREE MONTHS.

Fred L. Berger, a boy 17 years of age, entered a plea of guilty to larceny and was sentenced by Judge Stewart to three months in the county jail. He was charged with burglary and petit larceny, but, owing to his age, was allowed to plead guilty to petit larceny. He burglarized the Elgin grocery store at 144 East Second South street, on Christmas night, and stole 45 cents in cash.

### WANTS \$80,000.

Charles I. Parke brings Suit Against Ajax For Personal Damages.

Charles I. Parke has brought suit in the United States court against the Ajax Mining company for \$50,000 damages alleged to have been sustained in an accident while the plaintiff was employed in the Ajax mine. A huge overhanging rock fell and struck the plaintiff in such a way that he is permanently injured.

### Pitcher Case Dismissed.

A stipulation dismissing the action brought by Charlotte J. Pitcher against Frederick W. Pitcher for separate maintenance was filed in the district court today and the case was accordingly dismissed. Mrs. Pitcher sought to secure \$500 per month as separate maintenance on the ground of failure to support and also \$2,000 as attorney's fees. An attempt was made to compromise the case some time ago but it was unsuccessful so the case was set for hearing by Judge Hall during

## Get My Book, if Sick.

Don't Send a Penny.

Don't send a penny. Just wait till you see what I can do for you. Let me prove up first what Dr. Shoop's Restorative can do. This Restorative will gain your friendship, your endorsement, if you test it. And for a whole month you can use it without the slightest risk. I will tell you of a drugist near you who will furnish six bottles of

Dr. Shoop's Restorative

A Month on Trial.

I will absolutely stand all the cost if it fails. If you say "It did not help me," I will send you another bottle. I am not telling it as plainly, as clearly as I can. I want you to know absolutely and without doubt, that this offer is made on honor. I have the prescription that cures. My only problem is to convince you that my remedy failed. Just think of it: 25 out of 40 get well and these are difficult cases, too. And the forthright has nothing to pay. That is a record I am proud of. It is wrong to stay sick when a chance like this is open. If well, you would tell others who are sick of my offer. Don't let a sick friend stay sick because he knows not of my offer. Tell him. Get my book for him. Do your duty. You will be sick yourself some time. Sick people need help. They appreciate sympathy and aid. Tell me of some sick friend, and I will send him my book. I will show to both of us my gratitude. Your reward will be his gratitude. Send for the book now.

Do not delay.

Simply state which book you want and address. Dr. Shoop, Box 5715, Chicago, Wis.

Mild cases, not chronic, are often cured with one or two bottles. At drugists.

### WANT MONEY BACK.

Promoters of Electric Road Sue Salt Lake City For Deposit.

T. P. Steffy, Milando Pratt and F. M. Lyman, Jr., have filed suit in the city court against Salt Lake City to recover the \$200 deposited by them with their petition to the council for a franchise for an electric road on certain streets of the city. It is alleged in the complaint that plaintiffs petitioned for the franchise on Aug. 22, 1903, and deposited the sum of \$200 as compensation for considering and disposing of the application. The city council has taken no action upon the matter and has refused to consider it. Plaintiffs, on Oct. 9, 1903, demanded the return of their money which was refused and they sought judgment for that amount together with interest from the date of the demand.

### STILL ANOTHER SUIT.

F. E. Plattory Brings Action Against City To Recover Franchise Deposit.

Salt Lake City was made defendant in a suit filed in the district court today by F. E. Plattory. He recovered \$200 which plaintiff deposited with his petition to the city council for a franchise for an electric railway through the city. Plaintiff alleges that the council refused to consider his petition until he had deposited the above amount and that on Feb. 11, 1902, the deposit was made. Later the council denied the petition for the franchise but refused to return the money. Plaintiff claims that the ordinance requiring a deposit to be made with every petition for a franchise is illegal and void for the reason that the council has no right to pass an ordinance requiring the payment of money in advance of the consideration of the petition. Judgment is asked, therefore, for \$200, with interest from Feb. 11, 1902.

### Suit on Old Judgment.

The State Bank of Utah this afternoon filed suit in the district court against E. M. Vetter, W. S. Burton, and J. C. Burton, to recover \$9,450.35 alleged to be due on a judgment obtained against the defendant in the Third district court on Feb. 14, 1896.

### MRS. DOOLEY'S WILL.

Deceased Leaves an Estate Valued at About \$10,000 to Relatives.

The will of Clara Z. Dooley, deceased, who died in this city on Dec. 11, 1903, has been filed for probate in the district court, together with the petition of George Jay Gibson asking that letters testamentary be issued to him as provided in the will. The estate consists of real estate valued at \$2,832, notes and mortgages valued at \$1,130, and cash in bank amounting to \$9,000, a total of about \$15,962. Her aunt, Mrs. Lizzie M. Warren, and the brothers and sisters of testator are the beneficiaries named in the will. A strange coincidence in connection with this case is that Mrs. Dooley passed away only a few days after the settlement of her deceased husband's estate in the probate court here.

### THE CITY'S HEALTH.

Commissioner Stewart Attributes Conditions to Department's Effective Work.

City Physician Stewart today filed his annual report with Mayor Morris, in which he reviewed at length the work of the health department during his incumbency. During the time he has been in office the report states that he has twice held the city of smallpox and there would have been none of that disease in the city today had it not been for cases coming in from the outside. The condition of the city in regard to smallpox is due to careful enforcement of the quarantine regulations and the efficient work of the department in that respect.

In regard to the typhoid fever epidemic in the city he states there is no doubt but that the cause thereof was impure water, and the physician recommends that the use of flowing well water for domestic purposes be prohibited.

The expenses of the health department for the year, including salaries, amounted to \$22,878.83. This does not include the expenses of the crematory or the isolation hospital, the expenses of these two departments being over \$12,000. The expenses of the health department for the year 1902 were only \$15,701.17.

### SHOCKING CASE.

Messenger Boys Arrested by Police in Nevada Rooming House.

A most shocking case of depravity was discovered this afternoon at the Nevada roominghouse on East Second South street by Officer Frank Lincoln. Occupying one room in the foul joint, he found two messenger boys, Tony, Hagen, aged 20 years, and Fred Schuster, aged 21, and two young girls. One of the girls gave the name of Ethel Cummings. The identity of the other the police refuse to divulge. She is only 17 years of age and comes from

# A COINCIDENT; NOTHING MORE.

Before Perry Heath 'Came Home'  
The Last Time and When He  
Went Away Ditto.

## WANTED IN TWO BIG CASES.

One of These Was the Outgrowth of  
Method in His Friend Beaver's Office  
—The Other Was Not.

There are a good many prominent Salt Lakeers who cannot understand what it happened that the Hon. Perry S. Heath "came home" so suddenly the other evening after the most diligent search had been made for him by the officers of the federal government for 10 days or more previous. Particularly are they mystified over the fact that his whereabouts seemed to be so easily unknown to his newspapers and at his home and usual haunts. At none of these was one word ever said during the search about him being in Denver. He might have been in Cuba, Yellowstone Park or Manila, but none of his employees know. They were in the densest ignorance. But like the public they were enlightened the night of the appearance of the "News" article. Mr. Heath came home from Denver and the following morning presented himself at the office of the United States marshal, only to ascertain officially that he was wanted as a witness in the case of the late John A. Beaver. The fact that he could not be located, the papers had been returned with "no service" marked upon them.

It is a singular and impressive fact that these papers were calculated to cause his appearance in court as a witness in a case arising out of the salaries and allowance department of which his friend Beavers had charge under his direction.

There is another coincidence that is causing a lot of talk; and that is the second set of papers that came for Mr. Heath, and which, by the way, were served upon him. These required him as a witness in one of the Machen cases in the delivery department, and cannot result in extracting from him the testimony that would necessarily have been obtained in the other case.

And thus Mr. Heath was cited to Washington instead of to Brooklyn.

### ORDINANCES INVALID.

Suits Filed—Knitting Factories Consolidate—Workman Injured.

(Special to the "News.")

Ogden, Weber Co., Jan. 8.—This morning Judge W. H. Plattory declared a decision declaring invalid and of no effect the Revised City Ordinances of 1891, from the fact that the same had never been published, and that the original ordinances as passed by the council had not been found. The decision was rendered during the hearing of the case of Joseph Hart vs. the Union Pacific, a suit for \$7,500 damages for personal injuries received through being run over by one of defendant's cars. After the prosecution had presented all its testimony, the court non-suited the case, holding that there was an insufficiency of evidence to convict, and that the city ordinances referred to were not in force.

### SUITS FILED.

The Union Savings and Investment company has filed an action in the district court against W. H. Plattory, for the purpose of recovering a mortgage given on certain property purchased by defendants from plaintiff. The mortgage is valued at \$700, for which amount they ask judgment; also for \$229.15 as interest and part of the principal.

Nicholas Smith has filed suit against the Oregon Short Line Railroad company to recover judgment in the sum of \$5,000 and \$500 attorney's fees, for the fact that the defendant seized upon certain lands valued in the sum named without permission, by running its tracks in and upon said property. The tract in dispute is located in sections 20 and 25, west of Ogden.

### BUSINESS CONSOLIDATION.

The Home Knitting Factory company and the Ogden Knitting Factory company have consolidated, the consolidation going into effect today. The company will be reorganized and elect officers this afternoon. The Home has been doing business in the Parry building on Twenty-third street, while the Ogden had its factory in the Washington house on Washington avenue.

### BADLY BRUISED.

John G. Ellis had a narrow escape from serious injury this morning, while working on the skylight of the Telephone building, when the skylight came through the glass breaking, precipitating him into the office below, a distance of 15 feet. He was quite badly bruised but no bones were broken.

## Ward Entertainments.

On Thursday and Friday nights, Jan. 14 and 15, the Nineteenth ward Sunday school will present the pretty operetta, "Florida," in the ward meetinghouse. There are 30 voices in the chorus and eight leading parts, and the score is said to be quite catchy. The proceeds of the operetta will be used to help build an addition to the meetinghouse.

On Friday evening the ward dramatic club will give in connection with the operetta the laughable farce, "Family Affair," which made so many people laugh a few weeks ago. Samuel D. Winter is musical director of the operetta and Alvin A. Beasley and Lydie Willis are accompanists.

### FREE MUSICALS.

Tomorrow (Sat.) evening at 8:15, the Clayton Music Co. free musicals occurs with Miss Gray, pianist, and Miss Allen, violinist. Public invited.

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Springville. According to her own statement, she expects to become a mother in about a month. The police refuse to divulge her name because they desire to protect her family, who are highly respected where they live. Her father wrote to Chief Lynch a few days ago and told that official that his daughter was in Salt Lake and asked Chief Lynch to look out for her. This afternoon Officer Lincoln received a tip that the girl was at the Nevada roominghouse, going there he found her and her companions in the manner described. They were all placed under arrest, but the girl from Springville will be sent home to her parents. The others were locked up pending a further investigation of the case.

### A GUARANTEED CURE FOR PILES.

Itching, Blind, Bleeding or Protruding Piles. Druggists will refund money if "AZO OINTMENT" fails to cure in 6 to 14 days.

### TO RUN A SHEEP RANCH.

Alma Cunningham has gone to Honolulu in response to a cablegram from his father, who is there now with his new wife. It is understood that Mr. Cunningham, Sr., has purchased a sheep ranch on the island, and wants Alma to run it.

### D. I. GALLACHER FAILS.

Local Trunk Man Filed Petition in Bankruptcy Today.

David I. Gallacher filed a petition in bankruptcy this afternoon, showing liabilities of \$272, and assets of \$100. Mr. Gallacher is one of two well known trunk manufacturers bearing the same surname, the other being James I. Gallacher.

### GOES BACK TO IDAHO.

Governor Wells Honors Requisition Papers for Return of O. Williams.

Gov. Wells today honored the requisition of the governor of Idaho for the return to that state of Oliver Williams, who is wanted at Malad City, Idaho, for grand larceny. Williams was arrested at Brigham City on Dec. 15, Sheriff T. J. Evans, of Owyhee county, Idaho, presented the requisition papers to Gov. Wells and will leave tonight for Brigham City, where he will take Williams back to Idaho. The man charged with stealing some horses and wheat about the latter part of October last.

### BATTERY RELEASED.

Soldier Boys at Sunnyside Are to Return Home Tonight.

Brigadier-General Cannon stated this morning that the Battery, which is now stationed at Sunnyside, will be released from service today and will be ordered home.

### RIDEOUT ELECTED CAPTAIN.

The track team of the University of Utah met this afternoon and elected W. L. Rideout captain for the ensuing year. Mr. Rideout was captain of the team two years ago and made an excellent record. His election again attests his popularity among the athletes of Utah's leading educational institution.

### LATE LOCALS.

Today's local bank clearings amounted to \$492,384.43 as against \$639,031.58 for the same day last year.

Local dry goods men report a better trade since the middle of December than in the seven months previous. The demand is mostly at present for medium priced goods.

The street railway management is furnishing up the open cars and getting them in complete readiness for use when fine weather opens in the spring. Two more single truck cars will be out and ready for use shortly.

Evergreen Lodge of the Fraternal Union of America will give a card party and social in the I. O. O. F. hall on Monday evening next.

The Fifth ward Sunday school will give a dancing party in the ward house tonight.

Grocerymen report the quantity of butter in the local markets as steadily increasing, as cows are beginning to calve and the supply is being increased. The price will be maintained at a stiff figure as long as possible.

The mercury fell to 10 degrees above this morning, the lowest of the season in this city, and although there is a high barometer over the city, the weather office predicts local snows. Moderately low temperatures are prevailing through the west.

### PERSONALS.

Judge Norrell has again been quite ill at his home in Mississippi, but recently received information states that he is convalescent.

Manager W. G. Filer of the Twin Falls company has gone east on business.

Mrs. Harry D. Gue of Brooklyn N. Y., arrives from the east tomorrow, to visit in this city for a few weeks with the family of her brother, Harry Shearman.

Judge Colborn has returned from an extended visit in Kansas and the middle east. He reports the sunflower state as taking a bath in worldly prosperity. It produced this last year \$75,000,000 worth of wheat, and in one town where the judge visited, not only were the granaries chock full, but carrying houses, barns and even bed rooms were being utilized for storage, while immense quantities were piled up outside on the ground for lack of cover.

A railroad man told the visitor that if 150 cars a day were furnished to carry off the Kansas wheat, it would require until next harvest to move all of last year's crop. Kansas banks are well loaded with money, and farmers are buying pianos, talking of sending their children all to college, and taking a tour around the world themselves.

### Sun and Moon Mine Cases.

Georgetown, Colo., Jan. 8.—The prosecution in the trial of 15 union miners charged with conspiracy to destroy the Sun and Moon mine at Idaho Springs, completed its case today and the defense announced that it would introduce no testimony. Court adjourned.

## Business of Salt Lake Postoffice.

The following comparative tables show the business done in the Salt Lake postoffice for the last quarter of the years 1902-3. It will be interesting to note that the sales of stamps, cards, envelopes, etc., for the quarter just closed exceeds those for the same period of the year previous by \$1,276.09, the receipts being greater in all lines but that of second class postage, which dropped off \$64.21 in 1903. For the quarter just closed the business of the postoffice amounted to \$22,383.19, or on a basis of over \$26,000 for the year. The tables follow:

Receipts for quarter ending Dec. 31, 1902.	Receipts for quarter ending Dec. 31, 1903.
Stamps and Envelopes.	Stamps and Envelopes.
October.....\$11,554.70	October.....\$11,719.72
November.....11,045.00	November.....11,045.00
December.....14,995.80	December.....14,995.80
Totals.....\$37,595.50	Totals.....\$37,760.52
Postage.....\$2,012.50	Postage.....\$1,948.29
Loss.....\$4.21	Loss.....\$4.21
Total increase.....\$4,210.00	

Always Remember the Full Name  
Lexative Bromo Quinine  
Cures a Cold in One Day, Grip in 2 Days  
E. W. Brown  
Everywhere

# UTAHNS IN THE PHILIPPINES.

Some Items of Interest Regarding  
People Who Formerly Resided  
In This State.

## BOYS FROM THE BEEHIVE STATE

Are Making a Name For Themselves in  
The Service of Their  
Country.

The following items of interest have been received at the "News" office from a soldier in the Philippines:

Capt. Briant H. Wells, the governor's brother, is with the Twenty-ninth infantry at Camp Jossman, Panay. He is quartermaster of his regiment and has had the responsibility of supervising the vast amount of construction work that has been done at his post, which is near Iloilo.

First Lieut. Gordon Kimball of the Twelfth cavalry is at Batangas on Luzon. The young Ogdenite, son of a gallant soldier, is very popular with his troops.

Second Lieut. Cyrus Telford of the 103rd class at West Point surprised all of his friends when he chose to enter the cavalry branch of the service. His standing in his class was such as to entitle him to a place with the cavalry, but he preferred to be with the fighting men. He is at Camp Jossman.

Dr. Walter Fraser and his talented wife have won a home for themselves with the Thirtieth cavalry on Luzon. This climate is as hard on American troops as the climate of the Philippines, and the veterinary is a very busy man.

The Philippines will make a splendid educational exhibit at St. Louis. Prof. A. R. Hager, formerly of the Salt Lake High school, has collected the materials, and will accompany them to the exposition.

In Spanish times there were only 15 postoffices in the whole archipelago. Now there are 250 and Mr. C. I. Cotterman, who was stationed at Ogden for many years, as postoffice inspector, is director of post, which means postmaster general for the Philippines.

At the department of justice for the Philippines is stationed Mr. C. I. Cotterman, who is now under trial. It looks as though Gomez must spend some time in Bilibid, where he will be powerless to incite insurrection. As chief of the detective bureau the young Salt Lake High school graduate has gained an acquaintance with the ways of the native, the Spaniard and the Chinese, that makes him very valuable to the municipal government.

In commercial affairs at Manila no man stands higher than Harold Pitt. His opinion on industrial affairs in the islands is eagerly sought by those who contemplate investing. He frequently contributes strong articles to the local papers, offering suggestions for the building up of the provinces.

### RUTH CLEVELAND BURIED.

On Request of Physician Mrs. Cleveland Did Not Go to Cemetery.

Princeton, N. J., Jan. 8.—The funeral of Ruth Cleveland was held at the family residence this forenoon. The service was private and only a few friends were present. The Rev. Maitland Bartlett, pastor of the First Presbyterian church, in addition to the family, were present. The interment in the Princeton cemetery was private and took place immediately after the service. The body of the deceased was taken to the cemetery by a private car. Mrs. Cleveland did not go to the cemetery. Among the hundreds of messages of condolence which were received from President Roosevelt.

### CONDUCTOR NAGEL'S STORY

He Had Special Orders to Wait at Valencia.

Topeka, Kan., Jan. 8.—Conductor Nagel, of the Rock Island passenger train, wrecked at Willard, made the following deposition from his bed at the St. James hotel:

"We had orders to wait for a special stock train at Valencia until 12:30 and to pass another stock train at Willard. At the request of her physician, Mrs. Cleveland did not go to the cemetery. Among the hundreds of messages of condolence which were received from President Roosevelt.

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